

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 20-CR-185

MICHAEL BUB, et al.,

Defendants.

ORDER DIRECTING REPLY BRIEF

On March 23, defendant Michael Bub filed a motion seeking to reopen his detention hearing. The government has filed a brief opposing the motion. The defendant's motion for release appears largely premised on his experiencing of severe headaches, which he attributes to past brain tumor surgery. The motion indicates that an MRI is scheduled in the near future to determine the cause of his headaches, which could be attributed to a reoccurrence of the previous tumor.

Based on the parties' filings, I conclude that the outcome of the MRI could prove material to the resolution of the defendant's motion. Specifically, 18 U.S.C. § 3142(g)(3)(A) directs courts to consider the physical condition of a defendant. If it appears likely that the defendant will be facing serious health challenges, it is possible that his potential danger to the community upon release would be sharply reduced. Because we do not have enough information at this time, however, I am unable to make a ruling on the record currently before me.

Accordingly, the defendant is directed to file a reply brief on or before April 16, 2021, indicating the status of his MRI and any prognosis of which he is aware.¹ The government may file a sur-reply within two business days of that filing.

SO ORDERED this 1st of April, 2021.



STEPHEN C. DRIES
United States Magistrate Judge

¹ The defendant may seek an extension if the information is not yet available.